APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,109	05/10/2001	Christopher David Hancock	06576.105033-MS No.171311	5809

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PERKINS COIE LLP/MSFT
P. O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER
NGUYEN BA, PAUL H

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>14 October 2004</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,2,4-10 and 12-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1,2,4-10 and 12-20</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This action is responsive to Applicant Amendment and Remarks, filed on

10/14/2004.

2.   Claims 1, 2, 4-10, 12-20 have been considered. Claims 1, 9, and 17 are

independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a
person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

4.   **Claims 1, 2, 4-10, 12-20 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over <u>**Microsoft Word ® 2000**</u> **("Word"),** *Microsoft Corporation,*

Copyright © 1983-1999, in view of Extensis BeyondPress 4.0 (hereinafter

"QuarkXPress"), QuarkXPress, pgs. 1-4 (*available at*

www.qmedia.co.za/beyondpress.htm *via* **HotBot search engine (criteria: before**

5/10/2001)).

5.   Examiner Note: The following relevant sections of the Microsoft Word ® 2000

Help manual are submitted to applicant: *About places to save Web pages* pgs. 1-14

(hereinafter "Section I"), *About templates* pgs.1-6 (hereinafter "Section II"), *About*

formatting text using styles pgs. 1-7 (hereinafter "Section III").

Screenshots from Word are also submitted to applicant in Figures 1-21.

Independent Claim 1

Word teaches a method and computer-readable medium for *creating a web page*

in the environment of a word processing module comprising the steps of:

selecting a template while using the word processing software module (see

Section II, pg. 2 - *Locating templates*; see also Figs. 1, 2, and 3. User may select a

template while using the Word processor), *the template operable for storing styles* (see

Section II - *Overview of templates*, pg. 1. A template determines the basic structure for

a document and stores document settings such as AutoText entries, fonts, key

assignments, macros, menus, page layout, special formatting, **and styles**; see also

Figs. 4 and 5);

associating the template with a style group (see Fig. 5 and 6; Section III, pgs. 2,

3, and 5 → In the **Styles** box, click on the style you want to apply. If the style you want

is not listed, select another group of styles in the **List** box. Or you can preview and

apply different styles by using the **Style Gallery**), *the style group operable for storing*

styles that provide a format for creating the web page (see generally Section III - *What*

is a style?, pg. 1);

selecting the styles from the template (see Figures 13, 16 and 17);

defining attributes for the selected styles, the attributes operable for identifying

characters used in the web page (see Figure 6. The user can define various attributes

such as "style type, based on, and style for following paragraph," etc.); and

importing the selected styles into the style group (see Figs. 16-18. The selected

styles are imported to the markup language software module by selecting the "copy"

button.);

storing the style group for subsequent use in creating the web page (see Figs. 7

and 8. "Save As" a Document Template).

Word does not explicitly teach the amended limitation "*belonging to a markup*

language software module". In other words, Word does not explicitly teach an express

intermediate module for the word processor to web page conversion process. However,

word processor filters were commonly and well-known in the art (see list of word

processor filters made of record on form PTO-892). Specifically, QuarkXPress teaches

a markup language software module for automatically converting documents (including

all styles) into perfect HTML web pages (see pg. 1 (bullets 1 and 6) and pg. 3 (bullet 1

and Figure)).

Since both references are from the same field of endeavor, the motivational

purpose of instantly and automatically converting documents and corresponding styles

to perfect HTML web pages as disclosed by QuarkXPress would have been recognized

in the pertinent art of Word. It would have been obvious at the time the invention was

made to a person having ordinary skill in the art to modify the teaching of Word with the

teachings of QuarkXPress to include an intermediate markup language module.

Regarding Claim 2, Word further teaches naming the style group within the

markup language software module (see Figs. 13-16 → renaming the style group from

ZZZZZ to AAAAA); and locating the template associated with the style group (see

Figures 12 and 13 → locate the saved ZZZZZ_template by selecting "Organizer").

Word does not explicitly teach accessing a markup language module or selecting

a style group from within the markup language software module. However,

QuarkXPress teaches a markup language software module for automatically converting

documents (including all styles) into perfect HTML web pages (see pg. 1 (bullets 1 and

6) and pg. 3 (bullet 1 and Figure)).

Since both references are from the same field of endeavor, the motivational

purpose of instantly and automatically converting documents and corresponding styles

to perfect HTML web pages as disclosed by QuarkXPress would have been recognized

in the pertinent art of Word. It would have been obvious at the time the invention was

made to a person having ordinary skill in the art to modify the teaching of Word with the

teachings of QuarkXPress to include an intermediate markup language module.

Regarding Claim 4, Word further teaches defining instructions for the style group, the instructions operable for providing information about the web page (see Figs. 12 and 13 → i.e. Header, Footer, E-mail Signature, Envelope Address, Document Map, etc.).

Regarding Claim 5, Word further teaches *customizing a file header* (see Figs. 6, 7, 12, 13, 16-18 → i.e. Headers and Headings).

Regarding Claim 6, Word further teaches *customizing the body of the web page* (see Figs. 12 and 13 → i.e. Default Paragraph Font, E-mail Signature, Hyperlink, etc.).

Regarding Claim 7, Word further teaches *referencing macros with the style group* (see Figs. 19 and 20).

Regarding Claim 8, Word teaches computer-executable instructions for performing the steps recited in claim 1 (see discussion of independent claim 1 above).

Regarding Independent Claim 9, a method for creating a markup language document with a word processing software module...storing the second template, incorporates substantially similar subject matter as independent claim 1, and is rejected along the same rationale.

Claim 10 incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

Claim 12 incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

Claim 13 incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

Claim 14 incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

Claim 15 incorporates substantially similar subject matter as claim 7, and is rejected along the same rationale.

Claim 16 incorporates substantially similar subject matter as claim 8, and is rejected along the same rationale.

Regarding Independent Claim 17, With respect to independent claim 17, refer to the rationale relied upon to reject independent claims 1 and 9. Furthermore, Word teaches a computer-implemented system for creating markup language documents

comprising: *a server computer and a client coupled to the server computer* (see Fig. 21

→ about using your setting on another computer via a server).

Regarding Claim 18, Word further teaches the use of *style groups to store*

format information for the markup language documents (see Figs. 5, 6, 12, 16, and 17

→ i.e. paragraphs, headers, etc.).

Regarding Claim 19, said claim incorporates substantially similar subject matter

as claims 5 and 13, and is rejected along the same rationale.

Regarding Claim 20, said claim incorporates substantially similar subject matter

as claims 7 and 15, and is rejected along the same rationale.

Response to Arguments

6.   Applicant's arguments with respect to amended claims filed on 10/14/2004 have

been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to

consider these references fully when responding to this action.

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-

4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB

HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100